

REMARKS/ARGUMENTS

Claim Rejections under 35 U.S.C. §102(e)

The Examiner has rejected claims 1-28 and 33-35 under 35 U.S.C. §102(e) as being anticipated by the Remsoft Inc. reference (with the Examiner referring to the Woodstock and Stanley programs disclosed in the Remsoft Inc. reference).

Applicant respectfully submits that the Remsoft reference fails to satisfy the requirements for a finding of anticipation of claims 1-28 and 33-35.

Independent claims 1, 16 and 27

The Examiner has rejected the Applicant's independent claims 1, 16, 27 and 33 on the basis of Remsoft disclosing "a method of integrated natural resource management" identical to that recited in the Applicant's claims. Applicant's claims 1, 16 and 27 recite:

1. A computer-implemented method of integrated natural resource management comprising: a) storing and managing resource management information associated with defined geographic units in a database, including storing spatial and non-spatial information associated with the defined geographic units; b) preparing resource activity plans based on the resource management information for use in managing a natural resource within the defined geographic units; c) tracking actual results of managing the natural resource according to the resource activity plans for use in updating the resource management information; and d) updating the resource management information based on the tracking of actual results.

16. A computer-implemented system for integrated natural resource management comprising: a) means for storing and managing resource management information associated with defined geographic units in a database, comprising means for storing spatial information and non-spatial information associated with the defined geographic units; b) means for preparing resource activity plans based on the resource management information for use in managing a natural resource within the defined geographic units; c) means for tracking actual results of managing the natural resource according to the resource activity plans for use in updating the resource management information; and d) means for updating the resource management information based on the tracking of actual results.

27. A computer-implemented system for integrated natural resource management comprising: a) a resource management information system adapted to store and manage resource management information associated with defined geographic units in a database, including spatial information and non-spatial information associated with the defined geographic units; b) a resource activity planning system adapted to prepare resource activity plans based on the resource management information for use in managing a natural resource within the defined geographic units; c) an actual results tracking system adapted to track actual results of managing the natural resource according to the resource activity plans for use in updating the resource management information; and d) a product inventory management system adapted to store harvested inventory movement results received from the actual results tracking system; wherein the resource management information system is adapted to update the resource management information based on the tracking of actual results by the actual results tracking system.

Remsoft fails to disclose, amongst other things, “storing and managing resource management information associated with defined geographic units in a database, including spatial and non-spatial information associated with the defined geographic units” as recited in Applicant’s claims 1(a), 16(a) and 27(a). While Remsoft discloses elements similar to a resource management database that stores and manages resource management information, the disclosed stored information does not include non-spatial information recited in the Applicant’s claims 1(a), 16(a) and 27(a). Specifically, in the section “Creating input files” on page 4, Remsoft discloses “tools for automatically creating the input files... for spatial harvest scheduling as well as area files for input into Woodstock. All you need to supply is a harvest schedule.” Nowhere does Remsoft disclose storing any non-spatial information.

The Examiner further asserts that Remsoft discloses “preparing resource activity plans based on the resource management information for use in managing a natural resource within the defined geographical units” as recited in the Applicant’s independent claims 1(b), 16(b) and 27(b). As previously described, Remsoft does not disclose that the stored resource management information includes any non-spatial information as recited in the Applicant’s claims 1(a), 16(a) and 27(a). Therefore, while Remsoft discloses management of certain pre-

scheduled activities, it is not based on the same type of resource management information and requirements as recited by the Applicant. Furthermore, Remsoft's preparation of pre-scheduled activities and consequently Remsoft's management of the plan itself does not involve consideration of non-spatial information associated with the defined geographical units.

Therefore, in light of the above differences between the Applicant's independent claims 1, 16 and 27 and the Remsoft reference, the Applicant respectfully submits that the threshold for an anticipation rejection under 35 U.S.C. §102(e) has not been established. Specifically, Remsoft does not disclose "each and every element as set forth in the claim..., either expressly or inherently described" and what is disclosed is not "in as complete detail as is contained in the ... claim."

Independent claim 33

The Examiner has rejected the Applicant's independent claim 33 on the same basis of Remsoft disclosing each and every element recited in the Applicant's claim.

Applicant's claim 33 recites:

33. A computer-implemented method of natural resource management comprising: a) preparing an operational plan for extracting a natural resource from a plurality of defined geographic units and for delivering the extracted natural resource to at least one processing facility, said plurality of defined geographic units making up an operational area which is subject to the operational plan; b) committing the operational plan for use in a resource management system to manage the harvesting and delivery of the natural resource; and c) verifying that the operational plan does not conflict with any other operational plans committed to the resource management system that also involve plans for extracting the natural resource within one or more of said plurality of defined geographic units.

The Examiner asserts that claim 33 is anticipated by Remsoft for the same reasons as claims 1, 16 and 27. However, claim 33 contains different elements from those in the earlier independent claims, and cannot be anticipated for the reasons asserted by the Examiner. Moreover, Remsoft fails to disclose "preparing an operational plan for extracting a natural

resource from a plurality of defined geographic units and for delivering the extracted natural resource to at least one processing facility, said plurality of defined geographic units making up an operational area which is subject to the operational plan” as recited in the Applicant’s independent claim 33. For example, Remsoft does not disclose that the Stanley program contains any features to manage deliveries of harvested natural resources.

Furthermore, Remsoft fails to disclose “verifying that the operational plan does not conflict with any other operational plans committed to the resource management system that also involve plans for extracting the natural resource within one or more of said plurality of defined geographic units” as recited in the Applicant’s independent claim 33. Remsoft discloses neither the existence of more than one operational plan nor any process of verification that such plans do not conflict with each other.

Therefore, in light of the above differences between the Applicant’s independent claim 33 and Remsoft the Applicant respectfully submits that the threshold for an anticipation rejection under 35 U.S.C. §102 has not been established. Specifically, Remsoft does not disclose “each and every element as set forth in the claim..., either expressly or inherently described” and what is disclosed is not “in as complete detail as is contained in the ... claim.”

Dependent claims

The Examiner has rejected the Applicant’s dependent claims 2-15, 17-25, 28 and 34-35 as being anticipated by Remsoft (specifically in light of the Stanley and Woodstock programs disclosed in the Remsoft reference). The Applicant’s dependent claims 2-15, 17-25, 28 and 34-35 are ultimately dependent from the independent claims 1, 16, 27 and 33, respectively. In view of the comments made above with respect to claims 1, 16, 27 and 33, it is submitted that claims 2-15, 17-25, 28 and 34-35 are allowable due to their dependencies, as well due to as the additional subject matter each of these claims recites.

In addition, the Applicant respectfully submits that these dependent claims are allowable for the following additional reasons.

Dependent claims 2 and 17

The Applicant's dependent claims 2 and 17 recite:

2. The method of claim 1, wherein preparing resource activity plans further comprises notifying a user when a resource activity plan is affected by updates to the resource management information.

17. The system of claim 16, further comprising means for notifying a user when a resource activity plan is affected by updates to the resource management information.

Remsoft does not disclose "notifying a user when a resource activity plan is affected by updates to the resource management information" as recited in the Applicant's claims 2 and 17. Remsoft discloses the ability to "generate activity and output summaries" (page 1, paragraph 4) and, as part of its "analysis tools," existence of "complete post-run analysis reports in common file formats" (page 3). However, these capabilities of the Stanley program do not serve as a notification function as suggested by the Examiner. In particular, Remsoft does not disclose that either the "activity and output summar[y]," nor the "post-run analysis" are automatically generated or completed when a "resource activity plan is affected by updates to the resource management information" as recited in the Applicant's claims 2 and 17.

Claims 3 and 18

The Applicant's dependent claims 3 and 18 recite:

3. The method of claim 1, wherein the resource management information stored further comprises constraint information based on laws and regulations applicable to the defined geographic units and wherein the said constraint information is relied upon in the preparation of resource activity plans.

18. The system of claim 16, wherein the resource management information stored further comprises regulatory constraint information applicable to the defined geographic units and wherein the said regulatory constraint information is relied upon by the means for preparation of resource activity plans to verify compliance with such regulatory constraint information by such resource activity plans.

Remsoft does not disclose that resource management information stored comprises “constraint information based on laws and regulation applicable to the defined geographical units” as recited in the Applicant’s claim 3, nor that regulatory constraint information is relied upon by the means for preparation of resource activity plans to verify compliance with such regulatory constraint information by such resource activity plans as recited in the Applicant’s claim 18. While Remsoft discloses that the Stanley program may be used to “assess the impact of environmental regulations on production levels,” it is not disclosed that such assessment includes an automatic consideration or verification of compliance with “laws and regulations applicable to the defined geographical units” which are stored as “resource management information” as recited in the Applicant’s claim.

Notwithstanding the above, while Remsoft discloses that the Stanley program can be used for past-run “assess[ment of] the impact of environmental regulations on production levels,” Remsoft does not disclose that the Stanley program may be used to store “resource management information [which] ... comprises constraint information based on laws and regulations applicable to the defined geographic” or that it may be used for such pre-run tasks as “the preparation of resource activity plans” as recited in the Applicant’s claims 3, or “to verify compliance” with such regulatory constraint information by such resource activity plans.

Claims 4 and 19

The Applicant’s dependent claims 4 and 18 recite:

4. The method of claim 1, wherein the resource management information stored further comprises constraint information based on customer orders for the natural resource or for products derived from the natural resource and wherein the said constraint information is relied upon in the preparation of resource activity plans.

19. The system of claim 16, wherein the resource management information stored further comprises constraint information based on customer orders for the natural resource or for products derived from the natural resource and wherein the said constraint information is relied upon by the means for preparation of resource activity plans.

Remsoft does not disclose that the stored resource management information includes “constraint information based on customer orders for the natural resource or for products derived from the natural resource” as recited in the Applicant’s claims 4 and 19. Although Remsoft discloses “harvest schedules” (page 1, paragraph 4), it does not disclose that such schedules are tied to any orders for the natural resource or for products derived therefrom, or that such information is stored by the Stanley program as part of its resource management information.

Claim 5

Similar to the arguments above with respect to claims 2 and 17, Remsoft does not disclose the notification function recited in claim 5.

Claims 12-13 and 20-21

The Applicant’s dependent claims 12-13 and 20-21 recite:

12. The method of claim 1, further comprising notifying a user when one or more of the resource activity plans do not comply with constraints set by the resource management information.

13. The method of claim 12, wherein notifying further comprises notifying the user of features of one or more resource activity plans identified as inconsistent with quantitative constraints specified for the defined geographic unit in question by resource attribute information and regulatory constraint information.

20. The system of claim 16, further comprising means for notifying a user when one or more of the resource activity plans do not comply with constraints set by the resource management information.

21. The system of claim 20, where the means for notifying further comprises means for notifying the user of features of one or more resource activity plans identified as inconsistent with quantitative constraints specified for the defined geographic unit in question by resource attribute information and regulatory constraint information.

As discussed above, Remsoft does not disclose a notification function (see discussion for claims 2 and 17) or stored regulatory constraint information (see discussion for claims 1, 16, 27, 4 and 19). In addition, Remsoft does not disclose notifying users “of features of one or more resource activity plans identified as inconsistent with quantitative constraints specified for the defined geographic unit in question by resource attribute information and regulatory constraint information” as recited in the Applicant’s claims 13 and 21. While the harvest map provided in Remsoft’s Stanley program “updates the display as better solutions are found” (page 4, paragraph 4), it is not disclosed that such updates occur when a designated resource activity plan fails to comply with constraints included in the stored resource management information. Therefore, while the Applicant agrees with the Examiner’s statement that “maps are updated and serve as a notification of changes that impact the scheduling of resource,” these updates are clearly different from notifications and resource scheduling recited in the Applicant’s claims 12-13 and 20-21.

Dependent claim 6

The Applicant’s dependent claim 6 recites:

6. The method of claim 5, wherein the resource management information stored further comprises feedback from actual results of managing the natural resource according to the resource activity plans.

Remsoft does not disclose integrating “feedback from actual results of managing the natural resource according to the resource activity” into the stored “resource management information” as recited in the Applicant’s claim 6. Remsoft merely discloses that “the map tool updates the display as better solutions are found” (page 4, paragraph 4), it does not disclose when such solutions may be found or upon which changes they may be predicated.

Dependent claims 9 and 24

The Applicant’s dependent claims 9 and 24 recite:

9. The method of claim 7, wherein preparing resource activity plans further comprises preparing a plan for maintaining and

deactivating infrastructure for use in supporting harvesting the natural resource.

24. The system of claim 23, wherein the means for preparing resource activity plans further comprises means for preparing a plan for maintaining and deactivating infrastructure elements for use in supporting harvesting the natural resource.

Remsoft does not disclose “maintaining and deactivating infrastructure for use in supporting harvesting the natural resource” as recited in the Applicant’s claims 9 and 24. Although, as stated by the Examiner, Remsoft discloses functionality to “add or remove polygons from blocks” (page 1, paragraph 4), the term polygons refers to “stand description lists” (page 1, paragraph 2) where stand has the meaning of a “group of plants growing in a continuous area” (Webster dictionary). Thus, polygon or stand information is not similar to “infrastructure for use in supporting harvesting the natural resource” as recited in the Applicant’s claims 9 and 24.

Dependent claims 10 and 25

The Applicant’s dependent claims 10 and 25 recite:

10. The method of claim 7, wherein preparing resource activity plans further comprises preparing a plan for reclamation of the defined geographic units following the receipt of update information pertaining to the effects of harvesting the natural resource.

25. The system of claim 22, wherein the means for preparing resource activity plans further comprises means for preparing a plan for post-harvest reclamation of at least one of the defined geographic units.

Remsoft does not disclose “preparing a plan for reclamation of the defined geographical units” as recited in the Applicant’s claims 10 and 25. While Remsoft discloses that the Stanley program “goes beyond long-term forest management planning to on-the-ground, blocked harvest schedules” (page 1, paragraph 1), Remsoft does not disclose any features similar to a “plan for reclamation of the geographical units” as recited in the Applicant’s claims 10 and

25, nor creation of such plans in response to “update information pertaining to the effects of harvesting the natural resource” as recited the Applicant’s claim 10. The Applicant disagrees with the Examiner’s inference that the above cited passage from Remsoft “includes post-harvesting reclamation process in order to provide long-term forest management planning.” It is respectfully submitted that there may be a variety of methods for long term forest management planning and not all would include reclamation plans, nor would such plans be necessarily adjusted by a software program which created such plans in response to received update information. For example, “blocked harvest schedule” disclosed by Remsoft may relate to ease of access to such blocks or tree types contained therein.

Dependent claims 14-15

The Applicant’s dependent claims 14 and 15 recite:

14. The method of claim 12, further comprising verifying that the resource activity plans comply with one or more silviculture prescriptions associated with the defined geographic units.

15. The method of claim 14, further comprising verifying that the resource activity plans associated with at least one of the defined geographic units comply with a silviculture prescription associated with the at least one of the defined geographic units, including comparing one or more quantitative constraints in the silviculture prescription with ecological data stored in the database for the at least one of the defined geographic units.

Remsoft does not disclose that the Stanley program has the capability of “verifying that the resource activity plans comply with one or more silviculture prescriptions associated with the defined geographic units” as recited in the Applicant’s claim 14 or “comparing one or more quantitative constraints in the silviculture prescription with ecological data stored in the database for the at least one of the defined geographic units” as recited in the Applicant’s claim 15. The only silviculture functionality disclosed by Remsoft is that the Stanley program is able to accept as input “choices” (schedule) files from the Remsoft Woodstock program (page 10) which generates such files on the basis of a number of criteria, including “silviculture... actions” (Remsoft Woodstock, page 1). Therefore, while the Applicant agrees

with the Examiner that the Remsoft discloses that the Stanley program provides for “developing a spatial harvest plan” and “generating stand description lists, identifying adjacent stands” (Remsoft Stanley, page 1, paragraph 2), the Applicant respectfully submits that such generation of plans or lists does not include any consideration of a silviculture prescription or comparison of such prescription to any ecological data stored in the database as resource management information.

Dependent claim 34

The Applicant’s dependent claim 34 recites:

34. The method of claim 33, wherein preparing further comprises specifying harvesting methods, resource processing destinations, and harvesting dates.

Remsoft does not disclose “specifying harvesting methods, resource processing destinations, and harvesting dates” as recited in the Applicant’s claim 34. Although the Stanley program enables a user to create a harvest schedule, nowhere it is disclosed that such harvest schedule can be created by correlating “harvesting methods” with external factors such as “processing destinations.”

Dependent claim 35

The Applicant’s dependent claim 35 recites:

35. The method of claim 33, wherein the preparation of the operational plan further comprises identifying said plurality of defined geographic units by specifying filtering criteria in order to limit said plurality of defined geographic units to a subset thereof based on the filtering criteria.

Remsoft does not disclose “identifying said plurality of defined geographic units by specifying filtering criteria in order to limit said plurality of defined geographic units to a subset thereof based on the filtering criteria” as recited in the Applicant’s claim 35. While Remsoft discloses that the Stanley program allows the user to “refine individual block shapes” (page 5), this functionality is significantly different from a functionality of “filtering blocks into

various shapes” inferred by the Examiner. Remsoft discloses neither the existence of a “filtering criteria” nor a method for “specifying” them or applying them to “a plurality of defined geographical units” in order to identify the desired plurality of defined geographic units as recited in the Applicant’s claim 35.

Claim Rejections under 35 U.S.C. §103(a)

The Examiner has rejected claims 29-32 and 36 under 35 U.S.C. §103(a) as being unpatentable over Remsoft Inc., and over Remsoft in view of Perkins et al., respectively, due to obviousness.

The requirements for a *prima facie* case of obviousness have been well established by the Court of Appeals for the Federal Circuit, and are concisely summarized in M.P.E.P. § 2142 and 2143, which confirm that three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant’s disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Use of Official Notice

As part of the Examiner’s rejection of claims 29-32, the Examiner has made use of official notice. The Applicant disagrees with the Examiner’s use of official notice in claims 29-32. The Applicant submits that official notice unsupported by documentary evidence should not be taken by the Examiner where the facts asserted to be well-known, or to be common knowledge in the art, are not capable of instant and unquestionable demonstration as being well-known.

The Applicant traverses the Examiner’s rejections below and submits that the rejections should be withdrawn.

Claim 29

The Examiner acknowledges that Remsoft does not explicitly teach the customer tracking system adapted as recited in claim 29. However, the Examiner states that official notice is taken that it is old and well known to have a delivery schedule with a harvest schedule, including the delivery requirements. On this basis (official notice), the Examiner finds that the features recited in claim 29 are obvious.

The Applicant disagrees with the Examiner's assertions including the finding of official notice. Claim 29, which depends upon claim 27 and 28, reads as follows:

29. The system of claim 28, further comprising a customer tracking system adapted to store and track customer information and requirements including delivery requirements, wherein product inventory movements can be monitored by the product inventory management system to verify that actual product inventory that is in the process of being harvested for delivery will be delivered to customers in accordance with delivery requirements of such customers.

Thus, claim 29 provides a specific arrangement of elements for an integrated customer tracking system, interacting with the product inventory management system of the integrated computer-implemented natural resource management system recited in claim 27, to verify that actual product inventory that is in the process of being harvested for delivery will be delivered to customers in accordance with delivery requirements for such customers. The Applicant submits that the Examiner's general use of official notice with respect to such a specific arrangement is improper and should be withdrawn. Furthermore, if the features upon which the Examiner asserts official notice would have been, at the relevant date, old and well-known, these features would no doubt have been found in Remsoft, which is not the case as acknowledged by the Examiner.

In addition, Remsoft fails to provide a suggestion or motivation to add features to the Stanley program which would allow a user to consider customer information and delivery requirements in operational planning or to correlate on-going harvesting activities to such requirements as recited in the Applicant's claim 29. As disclosed by Remsoft, the primary

functionality of the Stanley program is “automat[ing] the process of developing a spatial harvest plan” (page 1, paragraph 2, see also page 2, paragraphs 1 and 2), specifically “on-the-ground, blocked harvest schedules” (page 1, paragraph 1). Nowhere does Remsoft disclose that the Stanley program can or should be used, whether alone or in conjunction with other tools, to plan a harvest with considerations for customer’s specific delivery requirements. The only planning objectives disclosed by Remsoft are “volume, area treated and monetary returns (present net value)” (page 8, “Other advantages include:” section); and the only data input to the Stanley program is disclosed to be “[s]patial data in form of a shapefile” and “a Choices file which details the forest classes that were scheduled for harvest by Woodstock” (page 10).

Apart from the above, as the Examiner has not provided documentary evidence describing features which were asserted to be well-known and of common knowledge in the art, the Applicant respectfully submits that the third requirement for a finding of obviousness has not been met, specifically that the combination of Remsoft with such well-known features teaches or suggests all the Applicant’s claim limitations.

Claim 30

With respect to claim 30, the Examiner states that official notice is taken that it is old and well-known to have a delivery schedule with a harvest schedule, including the delivery requirements. The Examiner relies in part on this argument to reject claim 30 as obvious in view of Remsoft.

The Applicant disagrees with the Examiner’s assertions including the finding of official notice. Claim 30 is an independent claim directed to a specific computer-implemented method and reads as follows:

30. A computer-implemented method for use in a computerized natural resource management system, the method comprising: a) planning for developing and maintaining infrastructure elements for use in extracting a natural resource from a defined geographic unit; b) planning for the extraction and delivery of the natural resource from the defined geographic unit using the infrastructure elements; c) tracking results of actual extraction and delivery of the natural resource from the defined geographic unit; and d) planning

for reclamation of the natural resource within the defined geographic unit.

The Applicant submits that the Examiner's use, in part, of official notice with respect to such a specific arrangement is improper and should be withdrawn. Furthermore, if the features upon which the Examiner asserts official notice would have been, at the relevant date, old and well-known, these features would no doubt have been found in Remsoft, which is not the case as acknowledged by the Examiner.

In addition, the Applicant respectfully disagrees with the Examiner's assertion that Remsoft teaches "tracking results of actual extraction and delivery of natural resource from the defined geographic unit." The passage quoted by the Examiner in support of this assertion, "assess the impact of environmental regulations on production levels" (page 1, paragraph 4) provides no indication that the Stanley program includes any delivery tracking features.

The Examiner further asserts that Remsoft teaches planning for reclamation of the natural resource within the defined geographic unit as recited in the Applicant's claim 30. As discussed in the foregoing in relation to Applicant's dependent claims 10 and 25, Remsoft does not disclose any features for producing any reclamation plans, whether in advance of a harvest or based on the results of a harvest.

Therefore, in light of the differences between Remsoft and the Applicant's invention, the combination of Remsoft with the features of which official notice was taken by the examiner, does not teach or suggestion all of the claim limitations of the Applicant's claim 30.

The Applicant also respectfully disagrees with the Examiner's assertion that "it is old and well-known to have a delivery schedule with a harvest schedule, including the delivery requirements" which leads the Examiner to the conclusion that "it would have been obvious... to add a delivery requirements feature of the inventory being harvested to provide an efficient means for moving the product through the distribution system" (Office Action, page 7, paragraph 2). Even if such features were known in the art, and were known exactly as recited in the Applicant's independent claim 30, an assertion that the Applicant is unable to verify as the Examiner has not provided documentary evidence describing such features, the Applicant

respectfully submits that the combination of such Remsoft with such well-known features does not disclose “planning for the extraction and delivery of the natural resource from the defined geographic unit using the infrastructure elements” as recited in the Applicant’s independent claim 30. As discussed in part in the foregoing in relation to dependent claims 9 and 24, the notion of including infrastructure elements in harvest planning, specifically as related to extraction and timely delivery of natural resources to customers is neither disclosed nor suggested by Remsoft.

Therefore, the Applicant respectfully submits that the required findings of fact for a *prima facie* obviousness rejection of the Applicant’s independent claim 30 have not been established.

Claim 31

With respect to claim 30, the Examiner states that official notice is taken that it is old and well-known to have a maintenance schedule with a harvest schedule to provide means for maintaining all equipment and processes being used.

The Applicant disagrees with the Examiner’s assertions with respect to claim 31 including the finding of official notice. Claim 31, which depends upon claim 30, is a computer-implemented method directed to a specific arrangement and reads as follows:

31. The method of claim 30, wherein the planning of the development and maintenance of the infrastructure elements further comprises: a) preparing a schedule for constructing the infrastructure elements; and b) planning maintenance activities associated with the infrastructure elements and monitoring the progress of said maintenance activities.

Thus, the Applicant’s computer-implemented method as recited in claim 31 provides for the planning of infrastructure elements comprising preparing a schedule for constructing the infrastructure elements and planning maintenance activities associated with the infrastructure elements and monitoring the progress of the maintenance activities. The infrastructure elements referred to in claim 31 are those which have are used in claim 30, in which planning for the extraction and delivery of the natural resource from the defined

geographic unit occurs using those infrastructure elements. These infrastructure elements are therefore used to support tracking of actual extraction and delivery of the nature resource from the defined geographic unit. The Applicant submits that the Examiner's general use, in part, of official notice with respect to such a specific arrangement as recited in claim 31 (incorporating the elements of claim 30) is improper and should be withdrawn. Furthermore, if the features upon which the Examiner asserts official notice would have been, at the relevant date, old and well-known, these features would no doubt have been found in Remsoft, which is not the case as acknowledged by the Examiner.

Notwithstanding the above, as has been discussed in the foregoing in relation to dependent claims 9 and 24, and in relation to independent claim 30, Remsoft does not disclose any infrastructure related features with exception of the ability to allow for roads of a specific width (page 9, bullet 1). Specifically, no infrastructure construction, maintenance, or tracking features are disclosed or suggested by Remsoft.

Moreover, even the combination of the "maintenance schedule" features which the Examiner has alleged are well-known in the art with the Stanley program teach or suggest all of the limitation of the Applicant's dependent claim 31, an assertion that the Applicant is unable to verify as the Examiner as not provided documentary evidence of such features, the Applicant further submits that no reasonable expectation of success can be found in Remsoft for adding such features. Specifically, addition of such features would require addition of complex new information structures to the resource management information stored in the Stanley program and also addition of capabilities for correlating the data contained in such structures to spatial harvest schedules. There is no indication in Remsoft that the architecture of the Stanley program could support addition of such complex features.

Claim 32

The Applicant disagrees with the Examiner's assertions with respect to claim 32 including the finding of official notice. Claim 32, which depends upon claim 30, is a computer-implemented method directed to a specific arrangement and reads as follows:

32. The method of claim 30, wherein the planning of the development and maintenance of the infrastructure elements further comprises: a) tracking construction, inspection and deactivation of the infrastructure element associated with the defined geographic unit.

As discussed above in relation to claim 31, Remsoft does not disclose any infrastructure-related features, nor has the Examiner shown that such features are well-known in the art and that the combination of such features with Remsoft discloses or suggests all of the limitations of the Applicant's independent claims.

Independent Claim 36

The Applicant's independent claim 36 recites:

36. A computer-implemented method of integrated natural resource management comprising: a) preparing logging schedules for harvesting a timber resource from a plurality of defined geographic units, each defined geographic unit having spatial and non-spatial inventory attributes; b) planning delivery destinations for the timber resource to be harvested from the defined geographic units; c) planning harvesting methods for the timber resource; d) tracking actual harvesting and delivery of the timber resource from the defined geographic units; and e) planning for renewal of the timber resource within the defined geographic units and tracking actual renewal activities with respect to the timber resource.

As explained above in relation to dependent claims 10 and 25, Remsoft does not disclose any features for producing any reclamation plans, whether in advance of a harvest or based on the results of a harvest. Therefore, while Perkins et al. discloses an natural resource harvest system, application of Perkins et al. to Remsoft's Stanley program would still not result in a "method of integrated natural resource management comprising ... planning for renewal of the timber resource within the defined geographic units and tracking actual renewal activities with respect to the timber resource."

Appl. No.
Amdt. dated August 31, 2006
Reply to Office Action of March 02, 2006

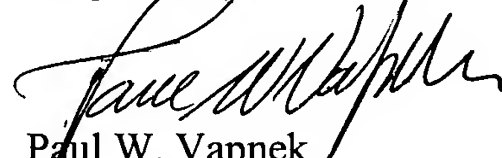
PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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